

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

In the matter of:

SEUNG HWA LEE
17 HARTLAND COURT
SAVANNAH, GA 31407

Debtor(s)

)
)
) Chapter 13
) Case No. 21-40304-EJC
)
)
)

MOTION TO CONVERT TO CHAPTER 7

O. Byron Meredith III, Chapter 13 Trustee in the above-referenced case, requests that the Court convert the case to a case under Chapter 7 pursuant to 11 U.S.C. § 1307(c). In support of the motion, the Trustee provides the following:

1. This case was filed May 11, 2021. A meeting of creditors was held on June 29, 2021, and the case was confirmed on September 16, 2021. [Doc. 45].
2. The confirmed plan proposed a dividend to unsecured creditors of 100% or a pro rata share of \$0.00 pursuant to paragraph 4(h) of the plan, whichever is greater [Doc. 4].
3. The case requires monthly plan payments of \$2,100.00. The case is delinquent in the amount of \$8,400.00 through March 2022. The last payment received by the Trustee was in the amount of \$4,200.00 on November 18, 2021.
4. At confirmation, pursuant to the Trustee's Motion to Confirm Plan as Amended [Doc. 40], a pro -rata return of \$102,822.00 was required to be paid first to priority and then unsecured creditors due to non -exempt equity in real property located at 2809 Heritage Oaks Circle, Dacula, Georgia.
5. The total amount of timely filed general unsecured claims is \$16,493.50 of which \$0.00 has been paid. The total amount of timely filed priority claims is \$4,058.24 of which \$0.00 has been paid.
6. Conversion to Chapter 7, rather than dismissal, would be in the best interest of creditors.
7. At this time, the Trustee has no funds of the estate to pay the filing fee for conversion of the case and requests that the payment of the filing fee due be waived.

WHEREFORE, the Trustee requests that this case be converted to one under Chapter 7 and for such other and further relief as may be just and proper.

This the 21 day of March 2022.

s/ Sabari Pillai, Staff Attorney
Office of the Chapter 13 Trustee
Georgia Bar No. 793947
P.O. Box 10556
Savannah, GA 31412
(912) 234-5052

CERTIFICATE OF SERVICE

I certify that a copy of this *Motion to Convert to Chapter 7* was served upon the above-named debtor and the parties listed below. Unless otherwise noted below, service was made by first-class United States Mail, postage prepaid, this 21 day of March, 2022.

s/ Sabari Pillai, Staff Attorney

Sabari Pillai, Staff Attorney
Office of the Chapter 13 Trustee
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JUDSON C. HILL
By Electronic Noticing

SEUNG HWA LEE
17 HARTLAND COURT
SAVANNAH, GA 31407

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IN RE:

SEUNG HWA LEE
17 HARTLAND COURT
SAVANNAH, GA 31407

Debtor(s)

Chapter 13
Case No. 21-40304-EJC

ORDER ON MOTION TO CONVERT TO CHAPTER 7

The Trustee's Motion to Convert to Chapter 7 in the above-styled case having been considered, it is hereby

ORDERED that the motion is **GRANTED** and the case is **CONVERTED TO A CASE UNDER CHAPTER 7**; and it is further

ORDERED that the filing fee for conversion of the case is waived.

[END OF DOCUMENT]

Prepared by:

s/ Sabari Pillai, Staff Attorney
Sabari Pillai, Staff Attorney
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Savannah, GA 31412
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